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ORIGINAL

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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EX PARTE

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re: WC Docket No. 03-90 - Application by Qwest Communications
International Inc. for Authority to Provide In-Region InterLATA
Services in the State of Minnesota**

Dear Ms. Dortch:

At the request of Commission staff, Qwest Communications International Inc. ("Qwest") hereby submits the attached confidential spreadsheet containing CLEC-specific reject rate information for conversion-as-specified Resale POTS ("Resale") and UNE-P POTS ("UNE-P") LSRs that were submitted region-wide via EDI from November 2002 through March 2003.¹

The attached confidential spreadsheet demonstrates that, from November 2002 through January 2003, combined reject rates for all CLECs submitting conversion-as-specified Resale and UNE-P LSRs were significantly better than the 27-34% range the Commission found acceptable for all LSRs in prior Section 271 proceedings.² In fact, during this period, combined reject rates for these products ranged from 17-24%.³

In February 2003, the combined reject rate for conversion-as-specified Resale and UNE-P LSRs increased to 57%.⁴ This increase was due almost entirely to

¹ Data for April 2003 is being gathered and will be submitted under separate cover.

² See, e.g., *Qwest III Order* at ¶ 89, n.316, citing *Bell Atlantic New York Order*, 15 FCC Rcd 3953, 4044, n.552 (1999).

³ See Attached Confidential Spreadsheet at 1, column H lines 5-7.

⁴ See *id.* at column H line 8.

⁵ Compare *id.* at column H line 8 with *id.* at column H line 20. [***]

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In March 2003, the combined reject rate for conversion-as-specified Resale and UNE-P LSRs increased to 63%.⁹ Again, [***]

Qwest is continuing to investigate why LSRs submitted by [***] in February, March and subsequent months were rejected and expects that many of these rejects will be shown to be attributable to CLEC error because Qwest's side of the EDI interface was stable during that period.

Despite the recent increase in combined reject rates for all CLECs in February and March for conversion-as-specified Resale and UNE-P LSRs, the evidence in the record demonstrates that CLECs are indeed capable of achieving low reject rates for these products. For example, at least one CLEC – [***] – managed to achieve reject rates ranging from [***] from November 2002 through March 2003. Moreover, during this period, [***] submitted among the highest volumes of conversion-as-specified Resale and UNE-P LSRs of any CLEC.¹³

As the Commission has explained in the past, “variation in . . . individual [reject] rates strongly implies that the care a competing carrier takes in submitting its orders makes a

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⁶ See *id.* at 5, columns C and D line 13.

⁷ See *id.* at column E line 14.

⁸ See *supra*, note 2.

⁹ See Attached Confidential Spreadsheet at 1, column H line 9.

¹⁰ See *id.* at 6, columns C and D line 17.

¹¹ See *id.* at column E line 18.

¹² See *id.* at 1, column H line 21.

¹³ See *id.* at 2, column C line 10 (November); *id.* at 3, column C line 14 (December); *id.* at 4, column C line 18 (January); *id.* at 5, column C line 18 (February); *id.* at 6, column C line 22 (March).

significant difference in the rate at which its orders are rejected.”¹⁴ The Commission also has observed that orders can fail for many reasons having nothing to do with the BOC and its OSS.¹⁵ Qwest explained that MCI’s high reject rates should be discounted for these reasons in the Qwest IV proceeding.¹⁶ [***

***]

Qwest takes seriously any difficulty its CLEC customers may experience when submitting LSRs. That is why Qwest has worked – and will continue to work – with CLECs that have experience high reject rates.¹⁷ But Qwest cannot control the action on the CLEC side of the EDI interface. This is precisely why the Commission has held that a BOC should not be held accountable for rejects that are attributable to CLEC error.¹⁸

The twenty-page limit does not apply to this filing. Please contact the undersigned if you have any questions concerning this submission.

Respectfully submitted,

/s/

Melissa Newman

cc: G. Cohen
J. Myles
G. Remondino
R. Harsch
B. Harr

¹⁴ See *Bell Atlantic New York Order*, 15 FCC Rcd at 4044 (¶ 175).

¹⁵ See, e.g., *Qwest III Order* at ¶ 89, *Georgia/Louisiana Order* at ¶ 142; *Bell Atlantic New York Order* at ¶ 175.

¹⁶ See, e.g., *Qwest Reply Comments at Confidential Reply Exh. LN-1 (Qwest April 3, 2002, Ex Parte)* at 2-5 and Attachment A.

¹⁷ See *id.* at 3-4 and Attachment A at 2-3.

¹⁸ See *Bell Atlantic New York Order*, 15 FCC Rcd at 4044, n.555.

UNE-P POTS and Resale POTS Conversion-as-Specified LSRs Submitted via EDI Region-Wide, November 2002 - March 2003									
Results for all CLECs									
Month	LSRs	Auto Rejects	% Auto	Manual Rejects	% Manual	Total Rejects	% Rejects	Success	% Success
November	10,411	1,956	19%	572	5%	2,528	24%	7,883	76%
December	13,860	1,638	12%	775	6%	2,413	17%	11,447	83%
January	9,122	1,452	16%	676	7%	2,128	23%	6,994	77%
February	43,574	22,788	52%	2,088	5%	24,876	57%	18,698	43%
March	105,805	59,415	56%	7,141	7%	66,571	63%	39,234	37%
Grand Total	182,772	87,249	48%	11,252	6%	98,501	54%	84,271	46%
Results for all CLECs (excluding MCI,)									
Month	LSRs	Auto Rejects	% Auto	Manual Rejects	% Manual	Total Rejects	% Rejects	Success	% Success
November									
December									
January									
February									
March									
Grand Total									
CLEC Names									

UNE-P POTS and Resale POTS Conversion-as-Specified LSRs Submitted via EDI Region-Wide, November 2002 - March 2003										
Month:										
November 2002										
CLEC	Product	LSRs	Auto Rejects	% Auto	Manual Rejects	% Manual	Total Rejects	% Rejects	Success	% Success
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
Total Resale POTS		6,607	834	13%	203	3%	1,037	16%	5,570	84%
Total UNE-P POTS		3,804	1,122	29%	369	10%	1,491	39%	2,313	61%
Month Total		10,411	1,956	19%	572	5%	2,528	24%	7,883	76%

UNE-P POTS and Resale POTS Conversion-as-Specified LSRs Submitted via EDI Region-Wide, November 2002 - March 2003										
Month:										
December 2002										
CLEC	Product	LSRs	Auto Rejects	% Auto	Manual Rejects	% Manual	Total Rejects	% Rejects	Success	% Success
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
Total Resale POTS		3,370	889	26%	241	7%	1,130	34%	2,240	66%
Total UNE-P POTS		10,490	749	7%	534	5%	1,283	12%	9,207	88%
Month Total		13,860	1,638	12%	775	6%	2,413	17%	11,447	83%

UNE-P POTS and Resale POTS Conversion-as-Specified LSRs Submitted via EDI Region-Wide, November 2002 - March 2003										
Month:										
January 2003										
CLEC	Product	LSRs	Auto Rejects	% Auto	Manual Rejects	% Manual	Total Rejects	% Rejects	Success	% Success
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
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	Resale POTS									
	UNE-P POTS									
Total										
Total Resale POTS		2,746	535	19%	264	10%	799	29%	1,947	71%
Total UNE-P POTS		6,376	917	14%	412	6%	1,329	21%	5,047	79%
Month Total		9,122	1,452	16%	676	7%	2,128	23%	6,994	77%

UNE-P POTS and Resale POTS Conversion-as-Specified LSRs Submitted via EDI Region-Wide, November 2002 - March 2003										
Month:										
February 2003										
CLEC	Product	LSRs	Auto Rejects	% Auto	Manual Rejects	% Manual	Total Rejects	% Rejects	Success	% Success
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
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Total										
	Resale POTS									
	UNE-P POTS									
Total										
Total Resale POTS		2,874	543	19%	208	7%	751	26%	2,123	74%
Total UNE-P POTS		40,700	22,254	55%	1,880	5%	24,125	59%	16,575	41%
Month Total		43,574	22,788	52%	2,088	5%	24,876	57%	18,698	43%

UNE-P POTS and Resale POTS Conversion-as-Specified LSRs Submitted via EDI Region-Wide, November 2002 - March 2003										
Month:										
March 2003										
CLEC	Product	LSRs	Auto Rejects	% Auto	Manual Rejects	% Manual	Total Rejects	% Rejects	Success	% Success
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
Total										
	Resale POTS									
	UNE-P POTS									
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	Resale POTS									
	UNE-P POTS									
Total										
Total Resale POTS		2,285	388	17%	223	10%	611	27%	1,674	73%
Total UNE-P POTS		103,520	59,027	57%	6,918	7%	65,960	64%	37,560	36%
Month Total		105,805	59,415	56%	7,141	7%	66,571	63%	39,234	37%